

Reconsideration and allowance of the present application are respectfully requested. Claims 1-11, 13-16 and 18-33 are pending in this application. Claims 14-16 and 18-33 are allowed and claims 4-6 are objected to.

The applicants respectfully traverse the rejection of claims 1-3, 7-11 and 13 under 35 USC 103(a) in view of Anderson et al taken with Ohbayashi et al. The cited references do not make the presently claimed invention to be obvious.

The Office Action states at page 4, line 6 that Anderson does not disclose the “opacity” of the substrate. In an effort to remedy this deficiency, Ohbayashi is cited at page 4, lines 9-10, as teaching an ink jet recording sheet that comprises a support and an ink absorptive layer on the support, wherein the support comprises a polyethylene laminated paper having a translucency of at least 80% (column 4, line 65 of reference) measured by employing a method specified in JIS-P-8138.

The claims of the present application recite that the light transmitting support has opacity regulated by JIS P 8138 method of 60% or less and thus, at least by this feature, distinguishes over the teachings of Ohbayashi et al.

The applicants assert that a person of ordinary skill in the art would understand that the term “translucency” in Ohbayashi, at column 4, line 65, is a translation error and the term should have been translated as “opacity.”

A copy of JIS-P-8138 in English was attached to the Response filed May 1, 2006, for the Examiner’s consideration as a technical reference and is again attached to this Response for the Examiner’s convenience. Please observe that the title of JIS-P-8138 is “Testing Method for Opacity of Paper” and is not a testing method for translucency.

In addition to the above discussed and attached JIS-P-8138, the applicants attach hereto, the following documents as compelling forms of documentary and experimental evidence that clearly show the translation error:

1) Verified English Translation of the relevant portion of the Japanese priority document, publication no. JP2000-355160, for Ohbayashi et al. clearly showing that the original, correct term was “opacity”;

2) Mechanical English Translation of the entire Japanese priority document, publication no. JP2000-355160, for Ohbayashi et al. clearly showing that the original, correct term was “opacity”; and

3) Rule 132 Declaration providing experimental results demonstrating that the language cited in Ohbayashi et al. must correctly employ the term “opacity” and not the erroneously translated term, “translucency.”

The attached Verified English Translation of the relevant portion of the Japanese priority document, publication no. JP2000-355160, for Ohbayashi et al. shows the following language at page 4, paragraph [0047], second-fourth lines from bottom of page:

“(4) Opacity: it is preferably 80% or more, particularly preferably 85 to 98% when measured by the method regulated in JIS-P-8138,”

The above language is essentially the same as stated in Ohbayashi et al., column 4, lines 65-67, except that in the attached Verified English Translation, the correctly translated term is “opacity.” Clearly a translation error occurred in Ohbayashi et al.

The attached mechanical English Translation of the entire Japanese priority document, publication no. JP2000-355160, for Ohbayashi et al. shows the following language at the sixth page, paragraph [0047], last line to the first line of the next page:

“When it measures by the approach specified to JIS-P-8138, Opacity : **
80% or more, L* as which 85-98% is especially specified...”

The above language is a much rougher English translation but certainly parallels the language stated in Ohbayashi et al., column 4, lines 65-67, except that in the attached mechanical English Translation, the correctly translated term is “opacity.” Clearly a translation error occurred in Ohbayashi et al.

The attached Rule 132 Declaration provides experimental results demonstrating that the language cited in Ohbayashi et al. must correctly employ the term “opacity” and not the erroneously translated term, “translucency.” The Rule 132 Declaration has been properly executed by the first named inventor, Takeshi NAGASHIMA, of the present application. The experiments show that Ohbayashi et al. does not intend to describe a resin-coated support having a transparency of 80% or more but intends the same having an opacity of 80% or more. In the experiments, a support described at column 10, lines 31-41 of Example 1 of Ohbayashi et al. was prepared. The opacity of the support was measured according to the referenced JIS-P-8138, noting that JIS-P-8138 indeed describes a method for measuring opacity. The experimental results for five sample supports are presented in the table at page 3 of the Rule 132 Declaration. The experimental results all show opacity of 80% or more.

The Rule 132 Declaration concludes that from the experimental results it would be clear that Ohbayashi et al. did not intend to provide a support having a transparency of 80% or more but did intend to provide a support having an opacity of 80% or more.

Accordingly, the applicants submit that in view of the above discussions and the attached documentary and experimental evidence, Ohbayashi et al. does not teach a paper support having transparency of 80% or more. Ohbayashi et al. should accordingly be withdrawn.

The applicants submit that the teachings of Ohbayashi et al. do not remedy the deficiencies of Anderson et al. Accordingly, the applicants assert that the presently claimed invention is fully allowable under 35 USC 103(a) in view of the cited prior art.

In view of the above and the attached Rule 132 Declaration, Verified English Translation, mechanical English Translation and copy of JIS-P-8138, the applicants submit that this application is in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

Manelli Denison & Selter, PLLC

By Paul E. White, Jr.

Paul E. White, Jr.

Reg. No. 32,011

Tel. No.: (202) 261-1050

Fax No.: (202) 887-0336

2000 M Street, N.W.
Seventh Floor
Washington, D.C. 20036
(202) 261-1000